137 PS 8-4 US-USSR (503)

Department of State **TELEGRAM**

CONFIDENTIAL 817

PAGE 01 TEL AV 03095 130921Z

11
ACTION NEA 15

INFO OCT 01,CIAE 00,DODE 00,JPM 04,H 02,INR 07,L 03,NSAE 00,NSC 10,
P 04,RSC 01,PRS 01,SS 20,USIA 12,RSR 01,/081 W
075346

R 130900Z AUG 69
FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 6874

C O N F I D E N T I A L TEL AVIV 3095

SUBJ: USS LIBERTY CLAIMS Need This

REF: STATE 134612

1. EMBASSY UNDERSTANDS LEGALITIES OF SITUATION AS OUTLINED REFTEL (ALTHOUGH MIGHT NOTE PARENTHETICALLY RE PARA 3B REFTEL THAT IF SHIP HAD BEEN EIGHTY MILES OFF COAST IT NOT LIKELY TO BE IDENTIFIED AS HOSTILE ON BASIS IT PROBABLY RESPONSIBLE FOR REPORT--LATER PROVED FALSE--OF NAVAL SHELLING EL ARISH, ETC). PRINCIPAL CONCERN REMAINS, HOWEVER, THAT FINAL SETTLEMENT OF LIBERTY INCIDENT CONTRIBUTE TO OVERALL US OBJECTIVES RE ISRAEL WHILE PROTECTING US LEGAL POSITION AS PRECEDENT. COMPENSATION HAVING BEEN RECEIVED IN FULL TO SATISFY, INSOFAR AS MONEY CAN, HUMANITARIAN ASPECTS OF CALAMITY DOES NOT SEEM CONSISTENT WITH TOTAL AMERICAN POLICY TO PRESS COUNTRY TO WHICH US HAS EXTENDED SUBSTANTIAL MATERIAL AID TO REPAIR DAMAGES TO VESSEL.

2. WITH ABOVE CONSIDERATION IN MIND, SUGGEST NEXT BEST STEP WOULD BE FOR EMBASSY BEGIN NEGOTIATIONS WITH GOI ON BASIS THAT WE AWAIT REPLY TO OUR NOTE TRANSMITTING CLAIM AND HOPE THAT THEY WILL BE IN TOUCH WITH US SOON. BELIEVE APPROACH SHOULD BE ORAL AND FURTHER STEPS CONSIDERED AFTER WE RECEIVE ORAL ISRAELI COMMENTS. GP-3.
BARBOUR

NOTE: HAS RECEIVED.

(1)

CONFIDENTIAL

DECLASSIFIED

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY N C Wood DATE 04/26/82
RDS or XDS EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKINGS
DECLASSIFIED RELEASABLE
RELEASE DENIED
FOI EXEMPTIONS

Tel Aviv 3095 8-13-69